

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STANDARD INSURANCE COMPANY,

Plaintiff,

v.

BARBARA PITTMAN, et al.,

Defendants.

No. 3:19-cv-006174-RAJ

ORDER

This matter comes before the Court on Defendants' Stipulated Motion regarding settlement. Dkt. # 35. Defendants Barbara Pittman, Tranissa Pittman, Pareece Pittman, Emmeriah McDowell, Nina Lambert, Markitta Norris, Tim Pittman, T.P., and M.N. (collectively "Defendants") have each claimed that he or she is a valid beneficiary of the proceeds of Anthony Earl Pittman's life insurance policy in the amount of \$45,000. Dkt. # 16 ¶¶ 15-20. Unable to determine which parties are the proper beneficiaries, Plaintiff Standard Insurance Company filed a complaint in interpleader requesting (1) leave to deposit the funds at issue less Plaintiff's reasonable attorney's fees and costs into the Registry of the Court; (2) that Defendants be ordered to interplead and litigate their claims to the proceeds of the policy; (3) that Plaintiff be discharged from any liability to

1 any Defendants arising out of the proceeds; (4) that the Court determine the entitlement
2 of each party to the proceeds; and (5) that Plaintiff be awarded reasonable attorney's fees
3 and costs. Dkt. # 6 at 5. The Court granted Plaintiff's requests and dismissed Plaintiff
4 with prejudice. Dkt. # 26 at 1.

5 Defendants now seek to resolve this matter without a court appearance due to the
6 COVID-19 pandemic. Dkt. # 35. They request that the remaining proceeds of the policy
7 be equally divided and disbursed among six of the Defendants: Pareece Pittman, Tranissa
8 Pittman, Emmeriah McDowell, Nina Lambert, T.P., and M.N. Dkt. # 35 at 2. T.P. and
9 M.N. are minors, and Defendants ask that the Court appoint their respective mothers,
10 Tranissa Pittman and Munera Nura, as their guardians. *Id.*

11 Civil Local Rule 17(c) precludes the Court from approving such a settlement
12 involving minors in the absence of a guardian ad litem. W.D. Wash. Local Rules LCR
13 17(c). The rule states:

14 In every case where the court is requested to approve a settlement involving the
15 claim of a minor or incompetent, an independent guardian ad litem, who shall be
16 an attorney-at-law, must be appointed by the court, and said guardian ad litem
17 shall investigate the adequacy of the offered settlement and report thereon;
18 provided, however, that the court may dispense with the appointment of the
19 guardian ad litem if a general guardian has been previously appointed for such
20 minor or incompetent, or if the court affirmatively finds that the minor or
21 incompetent is represented by independent counsel.

22 *Id.*

23 Here, a general guardian has not been previously appointed and no minor
24 Defendant—or any other Defendant—is or has been represented by independent counsel.
25 The Court will thus appoint an independent guardian ad litem to investigate the adequacy
26 of the proposed settlement with respect to the two minors and report its findings to the
27 Court. The Court will not approve the proposed settlement or permit disbursement of any
28 proceeds until it reviews the findings.

The Court **ORDERS** as follows:

DATED this 27th day of January, 2021.

Richard A. Jones

The Honorable Richard A. Jones
United States District Judge